

**PUBLIC WORKS AND TRANSPORTATION COMMITTEE**  
**of the**  
**SUFFOLK COUNTY LEGISLATURE**

**Minutes**

A regular meeting of the Public Works and Transportation Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on Tuesday, **February 10, 2004.**

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**MEMBERS PRESENT:**

Legislator Peter O'Leary- Chairman  
Legislator Dan Losquadro - Vice-Chairman  
Legislator Angie Carpenter  
Legislator Andrew Crecca  
Legislator Brian Foley  
Legislator Bill Lindsay  
Legislator Ricardo Montano

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**ALSO IN ATTENDANCE:**

Mea Knapp - Counsel to the Legislature.  
Leg. David Bishop.  
Charles Bartha - Commissioner - DPW.  
Rich LaValle - Chief Deputy Commissioner - DPW  
Leslie Mitchel - Deputy Commissioner - DPW  
Ilona Julius - Deputy Clerk - Legislature  
All Other Interested Parties

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**MINUTES TAKEN BY:**

Donna Catalano - Court Stenographer

**(\*THE MEETING WAS CALLED TO ORDER AT 3:00 P.M.\*)**

**CHAIRMAN O'LEARY:**

Good afternoon, all. I'd like to call to order the Committee of Public Works and Public Transportation. And we'll begin the meeting by asking Legislator Foley to lead us in the Pledge of Allegiance.

**SALUTATION**

**CHAIRMAN O'LEARY:**

Thank you very much. I don't have any cards. I would ask Commissioner Bartha to come up. Good afternoon, Charlie.

**COMMISSIONER BARTHA:**

Good afternoon.

**CHAIRMAN O'LEARY:**

Anything you would like to bring to the attention of the committee.

**COMMISSIONER BARTHA:**

Since I have not done business with some of the new members of the committee or department, I want to introduce the members that are here today. It is a relatively short agenda, so we don't have the full compliment of division heads. Richard LaValle is here, the Chief Deputy Commissioner, Leslie Mitchel, Deputy Commissioner, as well as Bob Shinnick, Director of Transportation with us, he handles the mass transit bus issues.

**CHAIRMAN O'LEARY:**

Thank you very much. For the record, I'd like to acknowledge the new members on the committee. I didn't do so the last time. I believe that's Legislator Losquadro and Legislator

Montano. I think, Bill you were a member of this committee, weren't you?

**LEG. LINDSAY:**

Yes.

**CHAIRMAN O'LEARY:**

Yeah. The other Legislators present are continuing members of the Public Works and Public Transportation Committee. As past practice, Commissioner, if any of the Legislators have any questions concerning their projects within their districts or some of their concerns, I would open that up now to the members of the committee if they do have any questions with respect to that. Any questions at all? I have one. With respect to renovation of the Riverhead Complex and County Center out there.

**COMMISSIONER BARTHA:**

Yes.

**CHAIRMAN O'LEARY:**

What is the status of that? Can you just give an overview as to where that is with respect to the stage that it's in? Is it still planning and design, or are we going to get into the construction phase this year?

**COMMISSIONER BARTHA:**

We're in the final stages of design. We're doing the final cost estimating. And we will -- this spring, late spring, we should be bidding that for construction, which would mean construction would start mid to late summer.

**CHAIRMAN O'LEARY:**

Okay. There being no other questions then, I guess we'll move to the agenda. Before we get to the agenda, is there anybody in the audience who wishes to say anything with respect to the agenda or address the committee at all? Yes, Legislator Crecca.

**LEG. CRECCA:**

I walked in late. I apologize. I would like address a question to the Commissioner.

**CHAIRMAN O'LEARY:**

Okay. Fine. Legislator Crecca.

**LEG. CRECCA:**

It came up earlier in Public Safety, but can you give us an update of where we are with the juvenile detention center?

**COMMISSIONER BARTHA:**

Juvenile detention center, we should be advertizing for bids within the next four to six weeks.

**LEG. CRECCA:**

Actually, just for the other Legislators' edification, there was some concern about the costs. And I commend Public Works for taking the initiative to try to reduce some of the costs of the initial bids that came in, correct?

**COMMISSIONER BARTHA:**

Correct. We took bids last year. Some of the prime contracts, the bids were above our estimates. We have in conjunction with the architect on the project made modifications to the design that won't affect the functionality, but we expect to bring the cost down close to the budget.

**LEG. CRECCA:**

And I just want to say on behalf of myself and I'm sure the other members of the Legislature, we appreicate you making that effort to keep the cost down rather than coming back and asking for more money. But either way, the faster we can move this project forward, you know, let us know what we can do to help.

**COMMISSIONER BARTHA:**

Thank you.

**CHAIRMAN O'LEARY:**

Okay. Hearing nothing else, then we'll move on to the agenda.

## **TABLED RESOLUTIONS**

### **IR. 1007-04. Approving ferry license for Fire Island Water Taxi, LLC. (PRESIDING OFFICER)**

#### **CHAIRMAN O'LEARY:**

I've been advised by Counsel that this matter has been recessed, not closed in public hearing, so it has to be continued as same, scheduled for the General Meeting on the 24th, correct?

#### **MS. KNAPP:**

On the first two, the 24th.

#### **CHAIRMAN O'LEARY:**

The first two; 1007 and 1009. So I'll entertain a motion to continue to table 1007.

#### **LEG. FOLEY:**

Motion.

#### **CHAIRMAN O'LEARY:**

Motion by Legislator Foley, seconded by Montano. On the question of that motion, all in favor? Opposed? Abstain? Motion is unanimous. **TABLED. (VOTE:6-0-0-0).**

### **IR 1009-04. Approving rates established for Fire Island Water Taxi, LLC (PRESIDING OFFICER).**

#### **CHAIRMAN O'LEARY:**

1009, same motion, same second, same vote. **TABLED. (VOTE:6-0-0-0).**

### **1023-04. Authorizing of alteration of rates for South Ferry, Inc. (PRESIDING OFFICER).**

#### **CHAIRMAN O'LEARY:**

Once again, it has been recessed in public hearing. I'll entertain a motion to table. I'll table the motion, seconded by Legislator Carpenter. On the question of that motion, all in favor?

Opposed? Abstain? Unanimous. **TABLED. (VOTE:6-0-0-0).**

**1024-04. Approving water taxi ferry license for At The Port, Inc. (PRESIDING OFFICER)**

**LEG. CARPENTER:**

Motion to table.

**CHAIRMAN O'LEARY:**

Motion to table by Legislator Carpenter, seconded by myself. On the question of the motion?

**LEG. FOLEY:**

Just on the question.

**CHAIRMAN O'LEARY:**

On the question, Legislator Foley.

**LEG. FOLEY:**

Thank you. Mr. Chairman. Has Mr. Duffy completed his report on this or no? Do we know? Is that why we have to table it? Normally, we'd have a report --

**MS. VIZZINI:**

If you want, I can go check. Kevin is in the back. I don't know if he has completed the report.

**LEG. FOLEY:**

Was this recessed?

**CHAIRMAN O'LEARY:**

Yes, it was recessed.

**LEG. FOLEY:**

So we have to table it.

**CHAIRMAN O'LEARY:**

Exactly, yeah. Has to be tabled -- all these issues have to be tabled. They've all been

recessed, they have to continue the tabled status until the next General Meeting. So moving on the motion 1024 for purposes of tabling, all those in favor? Opposed? Abstain? It's unanimous? **TABLED. (VOTE:6-0-0-0).**

**1025-04. Authorization of rates for At The Port, Inc. for Cross-Bay and along lateral license, Patchogue River and Bay License, all within the County of Suffolk. (PRESIDING OFFICER)**

**CHAIRMAN O'LEARY:**

Same motion, same second, same vote. On the question, all in favor? Opposed? Abstain? Motion is unanimous. **TABLED. (VOTE:6-0-0-0).**

### **INTRODUCTORY RESOLUTION**

**1084-04. Adopting Local Law No -- 2004, A local law implementing "Green Clean" Program in Suffolk County. (CARPENTER)**

**LEG. CARPENTER:**

Motion to table.

**CHAIRMAN O'LEARY:**

Motion to table by Legislator Carpenter. There's a motion to table subject to public hearing.

**LEG. LINDSAY:**

I know it's being tabled, but I don't have the resolution. What is it? What is a "Green Clean" Program? See how I said that, green clean.

**LEG. CARPENTER:**

That we purchase products that are ecologically sound cleaning products. And I've had some discussion with the Commissioner about it. We'll probably be making some changes to make sure that in instances where the removal of bacteria is paramount, that if they need to, they can have an exemption from the legislation for those particular products, if they are not able to get those green clean products that do the job. Thank you.

**CHAIRMAN O'LEARY:**

Is there any comment from the Commissioner with respect to this proposed resolution? What's the position of Department of Public Works?

**COMMISSIONER BARTHA:**

Well, as Legislator Carpenter said, we do have some concerns. We've shared them with her. The concerns are basically the stripping of floors and the cleaning of bathrooms. In those areas, there's no green clean product that is suitable. And green clean is primarily for a general purpose cleaners. And we have been using some green clean products for that, and we have no objection to using green clean products in that type of application. There's, you know, some additional costs associated with that. Green clean is basically products that don't contain chlorine, ammonia, basic cleaning chemicals that we're used to.

**CHAIRMAN O'LEARY:**

Okay. This will be scheduled for a public hearing on the 24th, am I correct?

**MS. KNAPP:**

Yes.

**CHAIRMAN O'LEARY:**

All right. There is a motion to table by Legislator Carpenter, seconded by Legislator Foley. On the question of the motion, all in favor? Opposed? Unanimous. **TABLED. (VOTE:6-0-0-0).**

Is there any other business to be presented to the committee? Anyone in the audience wish to make any statements to the committee? Hearing none -- yes, Legislator Foley.

**LEG. FOLEY:**

Where do we stand on two points. On dredging, if you could -- if not today, Charlie, if you could give us an update on where things stand with dredging projects and permits. And secondly, where do we stand on some of the reconstruction, road reconstruction projects, that were going to be bid and let this year, particularly County Road 51, which was a large project that is really in bad need of reconstruction?

**COMMISSIONER BARTHA:**

Okay. Working backwards, County Road 51 is near and dear to me. We actually awarded the



contract for that project in December. The southern most portion which is really in the worst condition, that goes from Montauk Highway up to the Brookhaven Town-Southampton townline. So as soon as the weather breaks, that contract will be under way. We have funding in this year's budget for the next phase. We'll be seeking that appropriation as the year goes on.

We also -- last year, with actually your initiative and support, we received additional funds to address road problems that were generated by the previous extreme winter. When we got those funds, it was late in the year, so we weren't able to accomplish that work. So we'll be able to use that money this year as capital money. And we'll be coming to you -- it's a little bit early right now because some problems are just emminating, but we will come with a list of projects to do with both the money that's in the capital -- in the pay-as-you-go funds, as well, you know, that we'll be doing with that. And as far as the dredging, I have a list of the dredging projects that are scheduled to be done this year with the County dredging as well as be contracted with. I can leave that with you.

**LEG. FOLEY:**

Leave it with the Chair.

**CHAIRMAN O'LEARY:**

Would you be able to supply that to the members of the committee as well?

**COMMISSIONER BARTHA:**

Yes.

**CHAIRMAN O'LEARY:**

Thank you.

**COMMISSIONER BARTHA:**

I will tell you that due to the ice, we have not been able to dredge for the past five to six weeks, which obviously has a impact on the schedule. If weather continues as it is, we should be able to be back in the dredging business real soon. We're working to determine how much -- how do we get back on schedule, how much overtime would be involved to do that.

**CHAIRMAN O'LEARY:**

Legislator Bishop.

**LEG. BISHOP:**

Thank you. As a nonmember, I appreciate being recognized. I know you must be dealing with it, because they are everywhere these days, massive pot holes. What is the plan, so to speak, how do we handle that? I know in my district on several County Roads I have a serious problem with them. Is there an expectation that a pothole can be addressed within a week of a Legislative Office calling it in or three weeks? What should I tell the constituents who contact me?

**COMMISSIONER BARTHA:**

Well, we had -- yesterday and today, we have had virtually all of the Highway Maintenance crews available, we had 12 crews handling pothole repair. Certainly if a Legislator calls us, I would expect within a week to be able to handle certainly anything specific.

**LEG. BISHOP:**

Actually, I have one right in front of my opponents -- vanquished opponent's home. You can take three weeks on that one.

**CHAIRMAN O'LEARY:**

Is that not a town road?

**LEG. BISHOP:**

It's a County road.

**CHAIRMAN O'LEARY:**

Oh, it's a County road. Okay.

**LEG. BISHOP:**

We called it right in to you, so hopefuuly it will be addressed in the next couple of days. Thank you.

**CHAIRMAN O'LEARY:**

Hearing no other Legislators to question the Commissioner, I'll move to adjourn. Motion by

Legislator Carpenter, seconded by myself. Meeting stands adjourned. Thank you very much.

**(\*THE MEETING WAS ADJOURNED AT 3:15 P.M.\*)**

**{ } DENOTES BEING SPELLED PHONETICALLY**